

RECEIVED
CENTRAL FAX CENTER
MAY 22 2008

PTO/SB/21 (01-08)

Approved for use through 06/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/805,069	
	Filing Date	March 19, 2004	
	First Named Inventor	Jon Lee Curzon	
	Art Unit	1792	
	Examiner Name	William P. Fletcher III	
Total Number of Pages in This Submission	4	Attorney Docket Number	6770200-0001

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Locke, Lord, Bissell & Liddell LLP		
Signature	<i>Roberta L. Hastreiter</i>		
Printed name	Roberta L. Hastreiter		
Date	May 22, 2008	Reg. No.	32,990

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Roberta L. Hastreiter</i>		
Typed or printed name	Roberta L. Hastreiter	Date	May 22, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

MAY 22 2008

PATENT ATTORNEY
DOCKET NO.
6770200-0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jon Lee Curzon et al.)	<u>CERTIFICATE OF TRANSMISSION BY FACSIMILE</u>
)	<u>UNDER 37 C.F.R. §1.8</u>
Filed: March 19, 2004)	Date of Facsimile Transmission: <u>May 22, 2008</u>
Title: Flame Retardant and Microbe Inhibiting Methods and Compositions)	I hereby certify that this paper or fee is being transmitted to the U.S. Patent and Trademark Office via Facsimile under 37 C.F.R. §1.8 on the date indicated above to facsimile number
Application No.: 10/805,089)	(571) 273-8300.
Group Art Unit: 1792)	<u>Roberta L. Hastreiter, Reg. No. 32,990</u>
Examiner: William P. Fletcher, III)	(Typed or Printed Name of Person Transmitting)
)	<u>Roberta L. Hastreiter</u>

RESPONSE TO RESTRICTION REQUIREMENT

Hon. Director of the United States Patent and Trademark Office
Attention: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Dear Sir:

The claims election and remarks that are presented herein are in response to Examiner Fletcher's office communication having a mailing date of May 12, 2008 ("the Restriction Requirement") for the above-identified patent application ("the application"). The Restriction Requirement involved a restriction and/or election requirement in connection with claims 1-82 of the application.

Response to Restriction Requirement

6770200-0001

First, Applicants want to thank Examiner Fletcher for mailing to them another Restriction Requirement having a new mailing date, and for faxing a copy of the former Restriction Requirement to Applicants' undersigned attorney for review and consideration. The examiner's efforts and cooperation are greatly appreciated.

In the Restriction Requirement, the examiner required a restriction to one of the following inventions under 35 U.S.C. §121:

- I. Claims 1-39 and 82, drawn to a composition, classified in class 106, subclass 15.05+;
- II. Claims 40-77, drawn to a method, classified in class 427, subclass 402;
- III. Claims 78-81, drawn to a method, classified in class 427, subclass 402.

The examiner stated (pages 2-3) that the inventions are independent or distinct, each from the other, because: (i) inventions I, II and III are related as product and process of use, the composition can be used to practice a different method, and the method can be practiced with a different composition; (ii) inventions II and III are unrelated because they are not disclosed as capable of use together, and have different modes of operation because the method of claim 78 requires elements that the method of claim 40 does not; and (iii) there would be a serious search and examination burden if restriction were not required.

In response to this Restriction Requirement, Applicants hereby elect to prosecute Group I, claims 1-39 and 82. Such an election does not change the inventorship with respect to the elected invention. Thus, Applicants will not be amending inventorship under 37 C.F.R. §1.48(b).

In accordance with the examiner's statements in the Restriction Requirement (page 4), Applicants hereby request that any process claims that may be withdrawn by the examiner as a result of the Restriction Requirement and election of claims for prosecution be considered for rejoinder.

Response to Restriction Requirement

RECEIVED
CENTRAL FAX CENTER

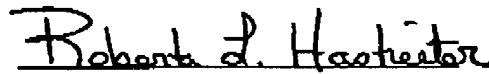
MAY 22 2008

6770200-0001

Any fees that may be required for the proper filing of this Response to Restriction Requirement with the U.S. Patent and Trademark Office ("Patent Office") are hereby authorized to be deducted by the Patent Office from Deposit Account No. 122144.

Respectfully submitted,

LOCKE, LORD, BISSELL & LIDDELL LLP



Roberta L. Hastreiter

Registration No. 32,990

May 22, 2008

LOCKE, LORD, BISSELL & LIDDELL LLP

Customer Number 38226

111 South Wacker Drive

Chicago, Illinois 60606

Telephone: (770) 410-1244; (312) 443-0700

Facsimile: (770) 410-1877; (312) 443-0336